



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**Via Electronic Mail To:** bizdeals1975@yahoo.com

**Docket No.** F-02-2020-5065

Doron Lerman  
Nissim NY Inc.  
124 Grove Ave, Unit 10  
Cedarhurst, NY 111516-4001

**Re: NOTICE OF REFUSAL OF ADMISSION**

Import of Jianhe 75% Alcohol Wipes, Entry No. CFL-00056417

Dear Mr. Lerman:

In connection with the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA" or "the Act"), as amended, 7 U.S.C. § 136, et seq., the United States Environmental Protection Agency – Region 2 ("EPA" or the "Region") has examined samples or other evidence with respect to the following shipment:

**Product Name:** Jianhe 75% Alcohol Wipes

**Importer:** Nissim NY Inc.

**Manufacturer:** Zhuji Jianhe Paper Co.,Ltd

**Bill Number:** HLCUNG12006APZC8

**Entry Number:** CFL-00056417

**Entry Date:** 07/25/20

**Entry File Date:** 07/27/20

**Port of Entry:** 4601 – New York/Newark

Your company was previously notified via a Notice of Detention and Hearing ("NOD"), dated July 28, 2020, that the above-referenced products appear to be out of compliance with the Act and therefore subject to refusal of admission. Specifically, your company was told that these wipes are pesticides because the label claims they can be used to sterilize surfaces such as "electronic products, office supplies, tableware, toys, etc." and are not registered under FIFRA § 3(a), 7 U.S.C. § 136a(a). Unregistered pesticides are prohibited from sale and distribution in the U.S.; therefore, the products are in violation of FIFRA § 12(a)(1)(A), 7 U.S.C. § 136j(a)(1)(A). Additionally, a Notice of Arrival ("NOA") of Pesticides was not filed for the shipment as required by FIFRA § 12(a)(2)(N), 7 U.S.C. § 136j(a)(2)(N), and 19 C.F.R. § 12.112.

The NOD further afforded you an opportunity to explain why the shipment should not be destroyed or refused entry. No material demonstrating that the product is in compliance with the Act and eligible for entry has been submitted to EPA. Instead, on August 13, 2020, you sent EPA a statement in which you said the wipes were only intended to be used for sanitizing hands and you requested permission to relabel the packages to obscure the pesticidal claims. In order for EPA to approve corrective action, the goods must still be in-bond with U.S. Customs and Border Protection and can only be corrected at a bonded warehouse. Unfortunately, because the items were already released by U.S. Customs and Border Protection, EPA cannot allow a corrective action.

EPA therefore hereby notifies you that your merchandise has been refused admission. You must export this merchandise, under supervision of the U.S. Customs and Border Protection (CBP) and within ninety (90) calendar days from the date of this Notice or within such additional time as EPA or the District Director of CBP specifies or dispose of the products. Failure to do so may result in either the destruction of the merchandise as authorized by the Act, or, if the shipment has been released to you under bond, in any action necessary to enforce the terms of said bond.

EPA acknowledges that the COVID-19 pandemic may be impacting your business. If that is the case, we will consider your specific circumstances in determining an appropriate timeline for complying with this notice, while still ensuring that the Agency receives the information it needs to timely confirm your company's compliance with FIFRA; such consideration does not extend to allowing the shipment and distribution of misbranded products into the United States.

If you have any questions, please contact Michael Brannick at 732-321-4349 or [brannick.michael@epa.gov](mailto:brannick.michael@epa.gov).

Sincerely,

*for* Dore LaPosta, Director  
Enforcement & Compliance Assurance Division

cc: Peter Ullrich, Alta Logistics ([peter@altalogistics.com](mailto:peter@altalogistics.com))  
Terrance Brennan, U.S. Customs and Border Protection ([terrance.m.brennan@cbp.dhs.gov](mailto:terrance.m.brennan@cbp.dhs.gov))